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<b>PATENT APPLICATION FEE DETERMINATION RECORD</b>						Application or Docket Number <b>09/897573</b>			
Substitute for Form PTO-875									
<b>CLAIMS AS FILED – PART I</b>									
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY			
FOR	NUMBER FILED	NUMBER EXTRA		RATE	FEE	RATE	FEE		
BASIC FEE (37 CFR 1.16(a))					\$ _____		\$ _____		
TOTAL CLAIMS (37 CFR 1.16(c))		minus 20 =	*	X \$ _____ =		X \$ _____ =			
INDEPENDENT CLAIMS (37 CFR 1.16(b))		minus 3 =	*	X \$ _____ =		X \$ _____ =			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))				+ \$ _____ =		+ \$ _____ =			
				TOTAL		TOTAL			
* If the difference in column 1 is less than zero, enter "0" in column 2.									
<b>CLAIMS AS AMENDED – PART II</b>									
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
AMENDMENT A	4/11/05	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
	Total (37 CFR 1.16(c))	* 47	Minus ** 47	=		X \$ _____ =		X \$ _____ =	
	Independent (37 CFR 1.16(b))	* 18	Minus *** 18	=		X \$ _____ =		X \$ _____ =	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))						+ \$ _____ =		+ \$ _____ =	
						TOTAL ADD'L FEE		TOTAL ADD'L FEE	
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
	Total (37 CFR 1.16(c))	*	Minus **	=		X \$ _____ =		X \$ _____ =	
	Independent (37 CFR 1.16(b))	*	Minus ***	=		X \$ _____ =		X \$ _____ =	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))						+ \$ _____ =		+ \$ _____ =	
						TOTAL ADD'L FEE		TOTAL ADD'L FEE	
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
AMENDMENT C		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
	Total (37 CFR 1.16(c))	*	Minus **	=		X \$ _____ =		X \$ _____ =	
	Independent (37 CFR 1.16(b))	*	Minus ***	=		X \$ _____ =		X \$ _____ =	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))						+ \$ _____ =		+ \$ _____ =	
						TOTAL ADD'L FEE		TOTAL ADD'L FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".  
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

CERTIFICATE OF TRANSMISSION 37 C.F.R. § 1.6(D)	
I hereby certify that this correspondence is being transmitted to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at 1-703-872-9306, on the date below:	
April 11, 2005 Date	<i>Kathryn Alaras</i> Signature

*See  
mcy*

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

RICHARD J. MARKLE ET AL.

Group Art Unit: 2877

Serial No.: 09/897,573

Examiner: Z. Smith

Filed: 7/2/2001

Atty. Dkt. No.: 2000.089400

For: METHOD AND APPARATUS FOR  
DETERMINING GRID DIMENSIONS  
USING SCATTEROMETRY

CUSTOMER NO. 23720

**REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114**

This is a Request for Continued Examination (RCE) of the above-identified application.

1. Submission required under 37 C.F.R. 1.114

04/14/2005 DBELL1 00000000 ☒ Previously submitted

01 FC:1801

790.00 DA

- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on March 9, 2005.  
(Any unentered amendments referred to above will be entered).

- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

- iii. ☐ Other: \_\_\_\_\_

- b. ☒ Enclosed

- i. ☐ Amendment/Reply

- iii. ☐ Information Disclosure Statement (IDS)

- ii. ☒ Affidavit(s)/Declarations

- iv. ☐ Other \_\_\_\_\_

2.

**Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3.

**Fees**

The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0786/TT4865.
- i. ☒ RCE fee required under 37 C.F.R. 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17)
- iii. ☐ Other: \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)


WILLIAMS, MORGAN &amp; AMERSON

CUSTOMER NUMBER 23720

10333 Richmond Dr., Suite 1100  
Houston, Texas 77042  
(713) 934-7000

Date: \_\_\_\_\_

Respectfully submitted,

  
\_\_\_\_\_  
J. Mike Amerson  
Reg. No. 35,426  
Attorney for Applicants